

JOURNAL OF THE SENATE

Wednesday, May 24, 1939

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, May 23, 1939.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—36.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 23, 1939, was corrected as follows:

On page 5, column 2, line 9 from the bottom of the page, strike out the words "the first time."

Also—

On page 35, column 1, line 3 from the top of the page, after the figures "11," insert the following, "and insert in lieu thereof:"

And as corrected was approved.

REPORTS OF COMMITTEES

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Concurrent Resolution No. 11:

Requesting the State Road Department to name the new bridge just completed on State Road No. 39 where the same crosses Holmes Creek at or near Vernon in Washington County, the "Lonnie Weeks Memorial Bridge," in honor of the man who was chiefly responsible for the building and completion on this road and bridge.

House Bill No. 98:

A bill to be entitled An Act making a continuing appropriation to the Agricultural college fund and transferring the interest received on said fund to the general revenue fund.

House Bill No. 306:

A bill to be entitled An Act to provide for the revision, compilation and consolidation and the printing and distribution of the General Statutes of Florida of a permanent nature by the Attorney General of Florida; to provide for the annotation thereof; to direct the Attorney General to make research of legislative matters and to aid in drafting proposed legislation at the request of members of the legislature; to authorize the Attorney General to employ skilled assistants for the purpose of performing the duties imposed upon him by this Act; and to appropriate sufficient funds to pay the cost of preparing said revision, compilation and consolidation of the Statutes, and the annotation thereof, and the cost of the performance of the other duties delegated to the Attorney General, and for the printing and binding of the preliminary edition and the permanent edition of said Statutes.

House Bill No. 820:

A bill to be entitled An Act making it unlawful to fish or cause to be fished, use or cause to be used, any drag nets, haul seines, gill nets, or other nets in the canal bordering the north side of State Road No. 27, as now designated by the State Road Department of the State of Florida, and commonly known as the Tamiami Trail, from the easterly corporation limits of the Town of Naples, Florida, to the westerly corporation limits of Coral Gables, Florida, and providing a penalty for violation of any of the provisions of this Act.

House Bill No. 901:

A bill to be entitled An Act to exempt the property of the St. Petersburg Yacht Club, a corporation not for profit, from taxation and to cancel all past due and omitted State, County or City taxes heretofore levied against the same.

House Bill No. 995:

A bill to be entitled An Act to require all motor boats, launches and other water craft propelled by gasoline or other internal combustion engines, operated on the waters of Kingsley Lake, in Clay County, Florida, to be equipped with mufflers, underwater exhausts or other suitable devices to deaden sound; to regulate the speed and use of motor boats on said waters, and fixing a penalty for the violation of same.

House Bill No. 1012:

A bill to be entitled An Act authorizing and empowering the town commission of the Town of Orange Park, Florida, from time to time by resolution, motion or ordinance, to compromise, waive, adjust and settle any and all delinquent town taxes including any and all interest, costs and penalties thereon, and prescribing the method of procedure; and approving, confirming and validating all compromises and adjustments of delinquent taxes heretofore effected, made and allowed by the town commission.

House Bill No. 1272:

A bill to be entitled An Act to repeal Chapter 17811, Laws of Florida, Acts of 1937, entitled: "An Act authorizing and empowering the Board of County Commissioners of any County having a population of not less than 14,554 and not more than 14,560, according to the State census of 1935, to amend the fiscal budget of said county for any year at any time by rebudgeting and re-apportioning any fund set up therein, and to repeal all laws or parts of laws in conflict."

House Bill No. 1273:

A bill to be entitled An Act to repeal Chapter 17812, Laws of Florida, Acts of 1937, entitled: "An Act authorizing and empowering the Boards of County Commissioners of all counties of the State of Florida, having a population of not less than 14,554 and not more than 14,560, according to the State census of 1935; to eliminate from the fiscal budget of said counties the fund known and designated as 'Bond Construction Fund'; and to rebudget said fund and transfer and distribute same to the maintenance funds of the road districts of said counties entitled to participate therein; and authorizing and empowering said Board to amend the fiscal budget for any year at any time by rebudgeting and re-apportioning any fund set up therein; and to repeal all laws or parts of laws in conflict herewith."

House Bill No. 1291:

A bill to be entitled An Act authorizing the City Commissioners of Lynn Haven, Florida, to adjust, compromise and settle all delinquent City taxes on real and personal property in the City of Lynn Haven, Florida.

House Bill No. 1316:

A bill to be entitled An Act to authorize Dade County to acquire, construct, own and operate causeways and viaducts over tidal waters in said County; and to establish and collect reasonable tolls for use of the same; and, subject to the approval of the voters, to issue bonds to pay for the same; and to levy taxes to pay the interest and principal of such bonds and maintain such causeways and viaducts; and to cooperate with agencies of the government of the United States or with municipalities in the acquisition, control and operation of said causeways and viaducts, or with or without cooperation to acquire and operate such causeways and viaducts on a self-liquidating basis in any manner allowed by law.

House Bill No. 1325:

A bill to be entitled An Act to amend Chapter 10847 of the laws of the State of Florida, approved May 9, 1925, entitled: "An Act to amend and re-enact the charter of the City of

Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City, and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances, and to ratify certain acts and proceedings of the commission and of the officers of the City", as amended by subsequent legislation by the granting and conferring of additional power and authority to the City of Miami to provide for a new registration of all persons qualified to register under the law, to provide and prescribe the number of voting precincts, and to provide and prescribe the qualifications of registered voters, the time for registration, the method and procedure of registration, the establishing and keeping of the registration records, and to prescribe the procedure for the removal of any name of any person from such registration records by reason of becoming disqualified.

House Bill No. 1381:

A bill to be entitled An Act authorizing the Board of County Commissioners of Brevard County, Florida, to acquire, by purchase, gift or condemnation, a site, within the territorial limits of Brevard County, for the location of a naval air base including a site suitable for a base for naval airplane carriers and other sea ships of war; to negotiate with the United States Government for the purpose of securing the establishment of such air base for naval airplane carriers and other sea ships of war on said site and providing for the payment of all sums spent pursuant to this act; providing and authorizing said Commissioners to condemn or otherwise procure lands and other property needed and useful in the construction of said air base for naval airplane carriers and other sea ships of war; providing and authorizing the said Board of County Commissioners to convey all lands and other property acquired under the provisions of this act by purchase, gift, condemnation or otherwise to the United States of America under the conditions and purposes provided in this act and declaring that all money spent under the provisions of this Act to be for a public service and for the benefit of said County of Brevard; and repealing all conflicting laws.

House Bill No. 1386:

A bill to be entitled An Act to authorize the Board of County Commissioners of Escambia County, Florida, to contribute to the equipment and training of bands organized under the supervision of public schools in said County.

House Bill No. 1404:

A bill to be entitled An Act to amend Section 1 of the Act creating the City of Pompano, Broward County, Florida, being Section 1, Chapter 13324 of the Laws of Florida, Acts of 1927; to define and establish the corporate limits of said City and to increase and enlarge the territory within the corporate limits of said City and providing for a referendum.

House Bill No. 1422:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Manatee County, Florida, to cooperate with the State Board of Education in acquiring land for experiment station laboratory and farm in Manatee County, Florida, the title to be vested in the State Board of Education, and to pay therefor out of funds belonging to said County or by an annual levy for such purpose, until fully paid, including interest, and permitting the issuance of interest-bearing time warrants for all or any part of said purchase price.

House Bill No. 1429:

A bill to be entitled An Act authorizing the City of Jacksonville to levy and collect, annually, in the manner provided by law, a Special Tax not exceeding two mills on all taxable property within said City, and to appropriate revenues therefrom for library purposes of the Jacksonville Free Public Library, and repealing Chapter 10702, Laws of Florida, 1925.

House Bill No. 1452:

A bill to be entitled An Act to validate, ratify and confirm all acts and proceedings of the Equalization Board and City Auditor and Clerk relating to tax assessments rolls, the publication of notices, and valuations of property on the tax rolls of the City of Winter Haven.

House Bill No. 1455:

A bill to be entitled An Act amending Section 1 of Chapter 14439 of the Laws of Florida, adopted by the legislature in

the year 1929, and which Chapter 14439 comprises the charter of the City of Vero Beach, Florida, by excepting from the property described in said Section 1 of said Chapter 14439 and from the territorial limits of the City of Vero Beach as therein set out, the following described property, to-wit: Beginning at the southeast corner of Section 1, Township 32 South, Range 39 East, run North to the South line of 18th Street, thence West along the South line of 18th Street to the East line of 8th Avenue, thence South along the East line of 8th Avenue to the South line of the aforesaid Section 1, thence East along the South line of Section 1 to the point of beginning.

House Bill No. 1158:

A bill to be entitled An Act to prohibit the sale of fresh water scale fish taken from the fresh waters of Calhoun County and providing a penalty for the violation thereof.

House Bill No. 1204:

A bill to be entitled An Act authorizing and empowering each Board of Public Instruction of the State of Florida situate in all counties having a population of not less than 51,000 nor more than 55,000, according to the last State census, to use any surplus money in the interest and sinking fund account of any special tax school district within its county to purchase any note, bond or other obligation on which such Special Tax School District or it for and on behalf of such Special Tax School District may be liable as maker or endorser.

House Bill No. 1214:

A bill to be entitled An Act to repeal Chapter 16023, Laws of Florida, Acts of 1933, being An Act to make lawful the taking of fish with trammel-net of certain mesh, during a fixed season in counties having a population of not less than 12,500 and not more than 13,000 according to the latest Federal census.

House Bill No. 1247:

A bill to be entitled An Act authorizing the City Commission of the City of Coral Gables to provide by ordinance for the creation of a civil service system for city officers and employees; for the creation of a civil service board; to designate who shall be civil service employees of the City; and to prescribe rules and regulations to govern civil service officers and employees; and providing for a referendum before said Act shall take effect and other matters relating thereto.

House Bill No. 1250:

A bill to be entitled An Act to authorize the City Commission of the City of Coral Gables, Florida, to establish by ordinance a pension, annuity and retirement system for any or all groups of officers and employees in the service of said City; to provide for disability and death benefits; to provide for contribution to the costs thereof on an actuarial basis; providing for the manner in which officers and/or employees may come under the operation of said system; providing for re-payment to members leaving the service of the City; providing for the investment of funds created under said system; providing for the administration of said system; and providing for the submission of said ordinance to referendum of qualified voters of said City; when said Act shall take effect and other matters relating thereto.

House Bill No. 1257:

A bill to be entitled An Act authorizing the creation of municipal tax adjustment board for the City of Brooksville, Hernando County, Florida; prescribing its powers, duties and limitations; prescribing the length of time such board shall stay in existence; providing for a chairman and secretary and authorizing said Board to adjust, settle and compromise taxes, special assessments and delinquent personal property tax for the year 1938 and previous years of such delinquent tax, upon certain conditions.

House Bill No. 1262:

A bill to be entitled An Act to authorize and provide that when there are no funds available, or such funds are insufficient to meet the then present current governmental needs of Hardee County, the Board of County Commissioners of Hardee County shall be authorized and empowered to borrow money at a rate of interest not to exceed eight per cent per annum for the purpose of providing for the payment of such current governmental needs and authorizing said board to provide for the payment thereof, by resolution, out of funds

anticipated by said Board to be available from the State Race Track Funds apportioned to said County within the fiscal year in which any such loan, or loans shall be made and providing that no such loan shall, in any event, exceed eighty per cent of the amount of revenue estimated by said Board to be received within such fiscal year.

House Bill No. 1133:

A bill to be entitled An Act affecting the government of the City of Jacksonville; fixing the salaries of the City Recorder and the Municipal Judge, and providing for terms of payment thereof.

House Bill No. 1229:

A bill to be entitled An Act relating to the distribution of moneys derived from gasoline taxes placed to the credit of Broward County, Florida, and conferring certain powers, authorities, directions and duties upon the State Board of Administration and upon the Board of County Commissioners of said County with reference thereto.

House Bill No. 1218:

A bill to be entitled An Act providing for the distribution and expenditure of not more than one-half of all monies derived from gasoline taxes placed to the credit of St. Johns County, Florida, for road and bridge purposes, to be expended exclusively for road and bridge purposes in said County, and prescribing certain powers, authorities, directions and duties upon the State Board of Administration and upon the Board of County Commissioners of said County with reference thereto.

House Bill No. 1170:

A bill to be entitled An Act to enlarge, define and declare the corporate boundaries of the City of Sanford, Florida, and preserve the lien of said City of Sanford, Florida, upon real and personal property for unpaid taxes and special assessments heretofore levied and assessed by said City thereon, and declaring the jurisdiction and powers of said City over the territory within the boundaries thereof as so enlarged, redefined and declared.

House Bill No. 1095:

A bill to be entitled An Act to establish a game and fish refuge in certain portions of Lee County and to provide for enforcement and punishment for violation thereof; to establish a refuge commission and prescribe the qualification of its members, the length of term of their office and their powers and duties.

House Bill No. 172:

A bill to be entitled An Act to be cited as the "Rural Electric Cooperative Act," to provide for the organization, operation and management of cooperative, non-profit, membership corporations, referred to as "cooperatives," for the purpose of engaging in rural electrification by supplying electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the Articles of Incorporation and By-laws therefor, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards of trustees, the meetings, terms, quorum, powers and other matters relating thereto, provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the Articles of incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperatives; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain conditions, for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver of notice required by this act and for trustees, officers or members serving as notaries public; prescribing for the qualifications of similar foreign corporations for the trans-action of business in the this State; prescribing certain filing

fees; prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the uniform sale of securities Act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof.

House Bill No. 1286:

A bill to be entitled An Act declaring the establishment and maintenance in Duval County, Florida, of a Central Law Library for the use of county officials and the judges and officers of the several courts in said county to be a public need and for a general county purpose; and to provide for the establishment and maintenance of an adequate central law library in Duval County, Florida; and providing for the establishment and maintenance of the same out of the excess fees returned by the Clerk of the Circuit Court, Clerk of the Civil and Criminal Courts of Record, County Judge, Sheriff, Tax Collector and Tax Assessor of Duval County; and providing for the inclusion of sums for that purpose in the county budget, and the expenditure of the same by the County Commissioners; and to create a Law Library Board, and to prescribe generally the authority and duties of such board.

House Bill No. 1362:

A bill to be entitled An Act requiring the Board of County Commissioners of Glades County, Florida, and the Board of Public Instruction of Glades County, Florida, to publish monthly statements of their proceedings including itemized statements of receipts and disbursements of all moneys received and distributed, in a newspaper published in Glades County, Florida, and providing for the cost of said publication and providing penalties for the violation thereof.

House Bill No. 1423:

A bill to be entitled An Act authorizing, empowering and permitting the Board of County Commissioners for the County of Manatee, State of Florida, to include in its annual budget appropriation for agricultural and live stock activity, a sum not to exceed \$600.00 per annum, payable from said agricultural and live stock fund, for the purpose of paying the salary and expenses of the County Inspector of Marks and Brands in said county.

House Bill No. 1424:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Manatee County, State of Florida, to levy Ad Valorem millage taxes on the property of said county, subject to taxation levied on a millage basis, for certain purposes, to maximum limits herein enumerated, namely, for publicity, 2½ mills; for county welfare, 2 mills; for county hospitals, 2 mills; for general revenue fund, 10 mills; for agricultural and live stock fund, 2½ mills; for public health fund, 2 mills.

House Bill No. 1363:

A bill to be entitled An Act of the Legislature of the State of Florida granting to the City of Key West, a municipal corporation of Florida, powers in addition to those contained in its charter; to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the regulation and use of buildings, structures and land for trade, industry, residence or other purposes; and granting powers to carry into effect such regulations and restrictions; to set up and provide for boards of officers for the purpose of administering the zoning powers herein conferred; and granting the City of Key West power to punish violations of any ordinances pertaining to zoning passed under this Act; providing the time that this Act shall take effect and repealing all laws in conflict therewith.

House Bill No. 1328:

A bill to be entitled An Act providing for the creation of a delinquent tax adjustment board for Hernando County, Florida, prescribing the powers and duties of such board; providing for the creation of delinquent tax adjustment board of appeals, and prescribing the powers and duties of such board; providing for the compromise sale and adjustment of State and County delinquent personal property tax for the year 1938 and previous years of such delinquent tax, upon certain conditions.

House Bill No. 537:

A bill to be entitled An Act providing for the construction of a new south wing to the State Capitol to include a Senate chamber and committee rooms and executive officers for the Florida State Senate, and appropriating money for the payment therefor.

House Bill No. 1248:

A bill to be entitled An Act to authorize the City Commission of the City of Coral Gables, Florida, to provide by ordinance for life, health, accident or annuity insurance or all or any kinds of said insurance for its employees upon a group insurance plan to pay in whole or in part the premiums therefor, and relieving said City from the provisions of the Florida Workmen's Compensation Act to the extent that the insurance so provided afforded the benefits provided by said Florida Workmen's Compensation Act; and providing for the submission of said ordinance to referendum of qualified voters of said City.

House Bill No. 1315:

A bill to be entitled An Act to authorize Dade County to purchase, maintain and operate fire fighting machinery, equipment and apparatus; to employ a fire chief and other personnel and employees, authorizing the Levy of a Special Tax to pay for same and to pay expenses incurred in and incident to the prevention, control and extinguishment of fires in said county.

House Bill No. 1317:

A bill to be entitled An Act to amend Section 1 of Chapter 17525, Laws of Florida, entitled "An Act to authorize Dade County to acquire and hold land for park purposes, and authorizing the levy of a special tax to pay for same and to pay for lands to be used for rights of way for roads" by further authorizing the Board of County Commissioners of Dade County to issue bonds, subject to the approval of the voters, for the purpose of raising additional funds to pay for the acquisition and maintenance of parks, and to levy taxes to pay the principal and interest of such bonds and provide for the maintenance of such parks, and cooperate with agencies of the government of the United States and other lawful agencies in the acquisition of such parks, and to accept funds from the government of the United States, or such other agencies, to be used in part payment for such parks.

House Bill No. 1334:

A bill to be entitled An Act to prohibit in Broward County, Florida, the capture, injury or killing of alligators, the sale, transporting and transporting for sale of alligators, alligator skins, alligator teeth or alligator eggs, and providing the penalty for violation of such Act, and providing for the repeal of all laws in conflict herewith, and for the effective date of this Act.

House Bill No. 1339:

A bill to be entitled An Act making it unlawful to take, injure, kill or possess within Monroe County, Florida, deer of the species of Virginia deer commonly known as "Key Deer," but permitting the taking and possession thereof for propagation or scientific purposes as now provided by law; also providing a penalty for violation thereof.

House Bill No. 1340:

A bill to be entitled An Act making it unlawful to take or attempt to take wild deer and wild turkeys in Gilchrist County, Florida; providing a penalty for the violation hereof, and repealing all laws in conflict herewith.

House Bill No. 1347:

A bill to be entitled An Act amending Section 2 of Chapter 18571, Laws of Florida, the same being An Act prohibiting the catching and taking of fish from any of the salt water rivers, creeks, springs, or holes within the limits of Hernando County, Florida, by means of any seine, gill net, stop net, or any kind of fish net or fish trap; defining salt water within the meaning of this Act in Mud River and Weekiwatchee River and fixing a penalty for the violation thereof.

House Bill No. 970:

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District in Broward County, Florida, authorizing the Board of Supervisors of said district to cancel taxes and/or tax liens due said district for the year 1934 and any years

prior thereto upon payment of all taxes due the district for the year 1935 and subsequent years; further providing that nothing in this Act shall prohibit receiving of bonds of the district in payment of taxes.

House Bill No. 1169:

A bill to be entitled An Act to prohibit in Charlotte County, Florida, the capture, injury or killing of alligators, the sale, knowingly transporting and knowingly transporting for sale of alligators, alligator skins, alligator teeth or alligator eggs, and providing the penalty for violation of such Act.

House Bill No. 1494:

A bill to be entitled An Act to protect fish in the rivers, creeks, canals and inside fresh waters of Indian River County, Florida; to prohibit the taking of fish from any such waters by any other means than hook and line; to prohibit the taking of bait or minnows from any such waters by any means other than as provided in this Act; to prohibit the placing in any such waters of any deleterious substance as described in said Act and whereby the fish in any such waters may be injured; providing for the destruction of any note, devices or appliances used in violation of the provisions of this Act; and providing penalties for the violation of this Act; and expressly repealing Chapter 10686 of the Laws of Florida adopted in 1925.

House Bill No. 1505:

A bill to be entitled An Act amending Chapter 10177, Laws of Florida, Acts of 1925, the same being 'An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300.00) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries; earned or to be earned when given as security for any such loan, and making the provisions of this Act applicable to Saint Lucie County, Florida, and repealing all laws in conflict herewith.

House Bill No. 1507:

A bill to be entitled An Act providing for the apportionment of race track taxes allotted to Glades County, Florida, being one-fourth to the Board of Public Instruction and three-fourths to the Board of County Commissioners of said County, and prescribing the manner in which said funds shall be used.

House Bill No. 1355:

A bill to be entitled An Act to create and establish a special taxing district in Lee County, to be known as Sanibel-Captiva Special Road and Bridge District of Lee County, Florida, to validate and legalize the Acts and proceedings of the Board of County Commissioners of said County and an election held in said district to create a special road and bridge district in said County, embracing the same territory, to validate and legalize bonds to be issued by said Board of County Commissioners for and on behalf of said Special Road and Bridge District to validate and legalize the levy and assessment of taxes in said district, and to authorize the continued levy and assessment of taxes for the purpose of paying the principal and interest on such bonds, and to further define the powers and duties of the Board of County Commissioners with respect to said district, and in the construction of roads and bridges in said district, and authorizing and empowering said Board of County Commissioners to use and expend the moneys derived from the sale and issue of such bonds for the purpose of meeting the requirements of the United States Government with reference to obtaining grants of federal money in connection with the construction of roads and bridges in said Special Road and Bridge District.

House Bill No. 1215:

A bill to be entitled An Act to repeal Chapter 16474, Laws of Florida, Acts of 1933, declaring it legal for a bona fide resident of a certain area to gig fish in the fresh waters thereof.

House Bill No. 1323:

A bill to be entitled An Act to amend Section 72 of Chapter 10847, Laws of Florida, approved May 9, 1925, and entitled "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said city

and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances, and to ratify certain acts and proceedings of the commission and of the officers of the city," relating to and establishing a City Planning Board; providing for the members, their rights, power and authority; providing for a secretary and his removal; and providing for the procedure by the said board and matters pertaining to city planning.

House Bill No. 1382:

A bill to be entitled An Act authorizing the creation by the Town Commission of the Town of Melbourne Beach, Florida, of a Tax Adjustment Board, prescribing its powers, duties and limitations; providing for a chairman and secretary and authorizing said board to adjust, compromise and settle taxes and assessments.

House Bill No. 1457:

A bill to be entitled An Act to ratify, validate, legalize, cure, approve and confirm; the assessment and levy of all taxes for each of the years 1931 to 1938 inclusive, made by the Town of Havana, Florida, the assessment roll for said town for said years, the acts and proceedings of the Town Council and all other officials or employees of said town in connection with or relating to the assessment and levy or taxes for said years, and all errors, defects, informalities or omissions in the tax rolls and in the assessment and levy of said taxes for said years. To declare the validity and sufficiency of the tax assessment, levy and collection, of and for said town for each of said years, and to provide for the collection, of and for said town for each of said years, and to provide for the collection of unpaid taxes for each of said years.

House Bill No. 1458:

A bill to be entitled An Act authorizing the governing body of the Town of Jupiter, Palm Beach County, Florida, to sell all tax certificates for the years prior to 1937 and held by the town: providing terms of sale; authorizing said governing body to adopt all necessary ordinances to perfect sale and title to said certificates; providing for a referendum.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

The bills and concurrent resolution contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator Clarke, Chairman of the Committee on Banking, and Building and Loans, reported that the Committee had carefully considered the following bill, and recommends that the same do pass:

House Bill No. 150:

A bill to be entitled An Act to amend Chapter 16841, Laws of Florida, Acts of 1935, and being an Act relating to the voluntary dissolution of building and loan associations; providing for action by directors and stockholders; approval of the State Comptroller; legal notice of such action; appointment of liquidator under certain circumstances; powers of trustees; actions by and against association; service of process on association; method for associations heretofore dissolved under Chapter 16841, Laws of Florida, Acts of 1935, to continue dissolution program under this Act.

And Senate Bill No. 150, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following bills, and recommends that the same do pass.

Senate Bill No. 323:

A bill to be entitled An Act to prescribe the maximum weight, width, length and height of certain motor vehicles operated on the public highways of the State of Florida and relating to the operation of motor vehicles.

Senate Bill No. 662:

A bill to be entitled An Act to amend Sections 11, 16, 17 and 26 of Chapter 14764, Laws of Florida, Acts of 1931, entitled "An Act providing for the supervision and regulation of per-

sons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons, or property for compensation over the public highways of the State; providing for regulations of safety and proper operation affecting the use of said highways and preservation thereof defining auto transportation companies and providing supervision and regulation thereof by the railroad commission of the State of Florida, and providing for the enforcement of the provisions of this Act and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenues raised by the same; and providing certain exemptions and repealing all Acts inconsistent with the provisions of this Act," as amended by Chapter 18026, Laws of Florida, Acts of 1937; imposing a maintenance tax on motor vehicles operated by auto transportation companies engaged in the transportation of property and providing for the disposition of the revenues raised by the same; and repealing all Acts inconsistent with the provisions of this Act.

And Senate Bills Nos. 323 and 662, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill, and recommends that the same do pass.

Senate Bill No. 463:

A bill to be entitled An Act fixing the salary of the Governor of the State of Florida.

And Senate Bill No. 463, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill, and recommends that the same do pass, with Committee amendment:

Senate Bill No. 614:

A bill to be entitled An Act to fix the annual salaries of the Railroad Commissioners and to repeal all laws in conflict with the provisions of this Act, especially that part of Chapter 15859, Laws of Florida, Acts of 1933, relating to the salaries of the members of the State Railroad Commission.

Which amendment is as follows:

No. 1. In Section 1, typewritten bill, strike out Section 1 and add new Section 1 as follows:

Section 1. From and after the effective date of this Act, the salary of the Chairman of the State Railroad Commission shall be \$5,000.00 per annum and the salary of each of the other two members of the State Railroad Commission shall be \$4,500.00 per annum, to be paid in equal monthly installments on warrants to be issued by the Comptroller of the State of Florida.

And Senate Bill No. 614, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendment—

Senate Bill No. 814:

A bill to be entitled An Act providing for an audit and investigation under the direction and supervision of the State Auditor of Florida, of the affairs of the estate of the late John Ringling, now in process of administration in Sarasota County, Florida, and making an appropriation therefor.

Which amendment is as follows:

No. 1. In Section 2, lines 1 and 2, (typewritten bill) strike out the words and figures Twenty-five Thousand (\$25,000.00) Dollars and insert in lieu thereof the following: Ten Thousand (\$10,000.00) Dollars.

And Senate Bill No. 814, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading—

Senate Bill No. 333:

A bill to be entitled An Act to amend Section 12 of Chapter

17275, Acts of 1935, being An Act creating the State Planning Board, prescribing its powers and duties, creating County planning councils and prescribing their powers and duties and making an appropriation for said board.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 333, contained in the above report, was ordered certified to the House of Representatives.

Senator Kanner moved that the rules be waived and when the Senate convenes for the Night Session, this day, that it convene for the purpose of considering pet bills.

Which was agreed to by a two-thirds vote and it was so ordered.

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senators Beacham, Westbrook, Kelly (11th) and Sharit—
Senate Concurrent Resolution No. 19:

A CONCURRENT RESOLUTION PROVIDING FOR THE CONTINUANCE OF THE COMMITTEE ON THE ROAD PROGRAM OF FLORIDA IN ORDER TO PERMIT IT TO COMPLETE THE WORK OUTLINED FOR THE PERFORMANCE PURSUANT TO SENATE CONCURRENT RESOLUTION NO. 10, ADOPTED AT 1937 SESSION OF THE FLORIDA LEGISLATURE, PRESCRIBING SAID COMMITTEE'S MEMBERSHIP, POWERS AND DUTIES, AND MAKING AN APPROPRIATION FOR SUCH CONTINUANCE.

WHEREAS, the Committee on the Road Program of Florida has submitted its report to this Legislature, and has advised that the work outlined to be performed by the Committee, and the programs to be recommended, are so comprehensive in extent and detail that additional time is necessary to complete the same; and

WHEREAS, it is deemed advisable that the work of said Committee should be continued, and that report of its investigations and deliberations be made to the 1941 Legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

SECTION 1. That the Committee on the Road Program of Florida be, and it is hereby authorized to continue its studies and investigations as outlined in Senate Concurrent Resolution No. 10, with the same powers and duties, except that it shall file its final report at the 1941 Session of the Florida Legislature.

SECTION 2. That the Committee shall hereafter consist of eleven members, viz: The Chairman of the Road Department, who shall be the Chairman of the Committee; five members of the Senate, consisting of the President of the Senate and four members who shall be appointed by the President of the Senate so that there will be one member from each Congressional District; and five members of the House, consisting of the Speaker of the House and four members who shall be appointed by the Speaker of the House, so that there will be one member from each Congressional District.

SECTION 3. The committee shall have authority to employ such assistance, clerical or otherwise, as is deemed by it necessary. The members of the committee shall serve without salary, but they shall be reimbursed for actual expenses incurred as is approved by the committee and certified as approved by the chairman.

SECTION 4. There is hereby appropriated out of the State Road License Fund the sum of \$10,000.00 to be used for the purpose of this resolution as hereinabove set out, and the total expenditures of the committee as such are expressly limited to that amount.

Which was read the first time in full.

Senator Beacham moved that the rules be waived and Senate Concurrent Resolution No. 19 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 19 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 19 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Hodges and Kanner—
Senate Resolution No. 26:

WHEREAS, the untimely death on June 20, 1937, of Fred

Henry Davis in the 43rd year of his useful and distinguished life, deprived the State of Florida of one of her most illustrious sons, a man who rose by his own efforts from obscurity and poverty to attain high honors and responsibilities in the three branches of civil government, in military affairs and in religious, fraternal and civic undertakings;

WHEREAS, the late Fred Henry Davis, served his State and its people as Attorney General, representing the administrative branch; as Speaker of the House of Representatives, representing the Legislative branch; as Chief Justice of the State Supreme Court, representing the Judicial branch of Florida's government; as Major in the National Guard, representing the state military organization and an officer of the U. S. Army in the World War; as Commander of an American Legion Post, as chief officer of Fraternal lodges and Civic organizations, and as steward of his church;

WHEREAS, Fred Henry Davis, during his lifetime was a true Democrat in that he numbered his close friends by the thousands and in all walks of life from men of distinction and power to the lowly and obscure—friends who were attracted to him by his greatness, his unimpeachable integrity, his capacity for signal accomplishments, his sincere simplicity, and his appealing human traits, which qualified him as few men are qualified, to meet the standards of Rudyard Kipling's poem, in that he could "Talk with crowds and keep his virtue, or walk with kings—nor lose the common touch. . ."

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the life history of Fred Henry Davis be spread upon the Journal of the Senate and incorporated in the permanent archives of our State as an important chapter in the History of Florida and as an inspiration to the youth of all future generations.

BE IT FURTHER RESOLVED, that this Resolution and Memorial be engrossed with the Great Seal of the State of Florida attached thereto and presented to the family of the late Fred Henry Davis; that it be republished in full on a separate page of the Senate Journal set apart for that purpose; and that copies be furnished to representatives of the Press assigned to the Senate Chamber.

IN MEMORIAM FRED HENRY DAVIS

Born 18 May, 1894 at Greenville, South Carolina, the son of Fred Henry Davis and Annie E. Pearson Davis, and the grandson of a Confederate veteran.

Moved with his parents to Jacksonville, Florida, 1894, and from there to Tallahassee 1907. Attended public schools of Duval and Leon Counties and was graduated from Leon County high school 1914.

Passed the Florida bar examination with a mark equalled but once and never surpassed and was admitted to practice as a member of the bar, though under age, by court order for the removal of minority disability, 4 November, 1914, at age of 20. He did not attend college but learned the law through study in supreme court library after school and in offices of Senator William C. Hodges and John L. Neeley.

Appointed County Attorney for Wakulla County 1916. Appointed Prosecuting Attorney for Leon County 7 January, 1919. Appointed counsel for State Railroad Commission 1925; served until 1927 when appointed Attorney General.

Appointed Assistant United States Attorney for the northern district of Florida 1917, by the late District Attorney, John L. Neely.

Enlisted for duration of World War 30 July, 1918, Camp Hancock, Augusta, Georgia; commissioned Second Lieutenant 1918; Central Machine Gun Officers Training school; inactive duty December 1918; commissioned Second Lieutenant, Officers Reserve Corps, 10 December 1918; enlisted as Private 26 June, 1924, in Company M, Florida National Guard; commissioned First Lieutenant 7 July, 1924; commissioned Captain and Commanding Officer 1 February, 1927; commissioned Major in Florida National Guard, Ordinance Department, 8 April, 1929, a commission held at the time of death.

Nominated and elected without opposition to the Florida House of Representatives from Leon County in the primaries and elections of 1920, 1922, 1924 and 1926, for the sessions of 1921, 1923, 1925 and 1927. Nominated in the Democratic Caucus and unanimously elected Speaker of the House of Representatives for Session of 1927.

Appointed Attorney General for Florida 4 June 1927, by

Senate Resolution No. 26

By Senators Hodges and Kanner

WHEREAS, the untimely death on June 20, 1937 of Fred Henry Davis in the 43rd year of his useful and distinguished life, deprived the State of Florida of one of her most illustrious sons, a man who rose by his own efforts from obscurity and poverty to attain high honors and responsibilities in the three branches of civil government, in military affairs and in religious, fraternal and civic undertakings,

WHEREAS, the late Fred Henry Davis, served his state and its people as Attorney General, representing the Administrative branch; as Speaker of the House of Representatives, representing the Legislative branch; as Chief Justice of the State Supreme Court, representing the Judicial branch of Florida's Government; as Major in the National Guard, representing the state military organization and an officer of the U. S. Army in the World War; as Commander of an American Legion Post, as chief officer of Fraternal lodges and Civic organizations, and as steward of his Church,

WHEREAS, Fred Henry Davis, during his lifetime was a true Democrat in that he numbered his close friends by the thousands and in all walks of life from men of distinction and power to the lowly and obscure—friends who were attracted to him by his greatness, his unimpeachable integrity, his capacity for signal accomplishments, his sincere simplicity, and his appealing human traits, which qualified him, as few men are qualified, to meet the standards of Rudyard Kipling's poem, in that he could "Talk with crowds and keep his virtue, or walk with kings—nor lose the common touch"

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the life history of Fred Henry Davis be spread upon the Journal of the Senate and incorporated in the permanent archives of our State as an important chapter in the History of Florida and as an inspiration to the youth of all future generations.

BE IT FURTHER RESOLVED, that this Resolution and Memorial be engrossed with the Great Seal of the State of Florida attached thereto and presented to the family of the late Fred Henry Davis; that it be republished in full on a separate page of the Senate Journal set apart for that purpose; and that copies be furnished to representatives of the Press assigned to the Senate Chamber.

Governor John W. Martin for unexpired term of J. B. Johnson; elected 1928 to full four-year term as Attorney General.

Appointed Associate Justice of Florida Supreme Court 9 March 1931, by Governor Doyle E. Carlton until the next general election, at age 36, youngest in state history; nominated and elected 1932 for unexpired term of Justice Louie W. Strum, who resigned to become Federal Judge for the Northern District of Florida; nominated and elected for a full six-year term as Supreme Court Justice 1934; elected by fellow justices to be Chief Justice of the Florida Supreme Court January, 1935.

Commander of Claude L. Sauls Post, American Legion 1923.
President of Tallahassee Lion's Club 1935.

Master Jackson Lodge No. 1, F. and A. M. 1922. High Priest Florida Chapter No. 1, R. A. M. 1926; Commander St. Omer Commandery No. 12, Knights Templar 1932. Member of the Shrine. Noble Grand, Leon Lodge No. 5, I. O. O. F. 1919.

Member Board of Stewards, Trinity Methodist Church 1930 to 1933.

Member Phi Alpha Delta, honorary legal fraternity.

Member Benevolent Protective Order of Elks.

Member Florida Bar Association and American Bar Association.

Married Miss Frances M. Chambers of Tallahassee, 3 February, 1921; two children, Marilyn and Hazel Anice.

Died unexpectedly in his room, Roosevelt Hotel, Jacksonville, of angina pectoris, 6 P. M., 20 June, 1937.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 26 was adopted.

Senator Graham moved that House Bills Nos. 1314, 1463, 1449 and 1376 be withdrawn from the Committee on Miscellaneous Legislation and placed on the Calendar of Local Bills on second reading.

Which was agreed to and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Kendrick—

Senate Bill No. 1021:

A bill to be entitled An Act to cancel certain State and county tax certificates and taxes and certain city taxes of the Town of Flagler Beach, Florida, against certain lots, pieces or parcels of land situated in Flagler Beach, Flagler County, Florida, and owned by the Town of Flagler Beach, Florida, and exempting said land from taxation beginning with the year 1937.

Which was read the first time by title only.

Senator Kendrick moved that the rules be waived and Senate Bill No. 1021 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1021 was read the second time by title only.

Senator Kendrick moved that the rules be further waived and Senate Bill No. 1021 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1021 was read the third time in full.

Upon the passage of Senate Bill No. 1021 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1021 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Graham—

Senate Bill No. 1022:

A bill to be entitled An Act making it unlawful for any owner, trainer or custodian of a thoroughbred race horse or greyhound racing dogs, to obtain feed, drugs, transportation, veterinary service or supplies for said race horses or greyhound

racing dogs with the intent to defraud; prescribing the rule of evidence in said causes and fixing the penalty therefor.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Wilson—

Senate Bill No. 1023:

A bill to be entitled An Act to designate and establish a certain State road in Gadsden County.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Wilson—

Senate Bill No. 1024:

A bill to be entitled An Act to designate and establish a certain State road in Gadsden County.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

Senator Black moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 995, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 995:

A bill to be entitled An Act providing for the creation and establishment of a College of Forestry in the University.

Was taken up.

Senator Black moved that the rules be waived and Senate Bill No. 995 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 995 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 995 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 995 was read the third time in full.

Upon the passage of Senate Bill No. 995 the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Black, Clarke, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Westbrook, Whitaker, Wilson—28.

Nays—None.

So Senate Bill No. 995 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pursuant to the motion made by Senator Parrish on May 17, 1939, and the hour having arrived, a point of order was called and the Senate took up the consideration of House Bills Nos. 944 and 945 and Committee Substitute for House Bill No. 340, as a Special and Continuing Order.

House Bill No. 944:

A bill to be entitled An Act to prohibit the importing into the State of Florida of citrus fruit and citrus juice produced and canned in other states and countries and shipping the same out of the State of Florida as Florida citrus fruit and prescribing penalties for violation of this Act.

Was taken up.

Senator Parrish moved that the rules be waived and House Bill No. 944 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 944 was read the second time by title only.

Senator Parrish moved that the rules be further waived and House Bill No. 944 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 944 was read the third time in full.

Upon the passage of House Bill No. 944 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Walker, Westbrook, Whitaker, Wilson—28.

Nays—None.

So House Bill No. 944 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 945:

A bill to be entitled An Act relating to and regulating the marking and labeling of containers of canned citrus fruit and canned citrus juice; permitting certain labels and/or stamping or embossing when canned citrus fruit or canned citrus juice is canned to a certain standard; prohibiting the use of such labeling and stamping or embossing unless the canned citrus product is canned in accordance with certain grades and providing penalties for the violation of this Act.

Was taken up.

Senator Parrish moved that the rules be waived and House Bill No. 945 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 945 was read the second time by title only.

Senator Parrish moved that the rules be further waived and House Bill No. 945 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 945 was read the third time in full.

Upon the passage of House Bill No. 945 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker—30.

Nays—None.

So House Bill No. 945 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Committee Substitute for House Bill No. 340:

A bill to be entitled An Act relating to the marketing, processing, handling, and distributing of citrus fruit grown in the State of Florida, and providing for the regulation of handlers, processors, distributors, producers and others, and establishing standards in relation to such regulation; providing for hearings on and the issuance, administration and enforcement of marketing agreements and marketing orders in connection with the regulation aforesaid; prescribing the powers, duties and jurisdiction of the Commissioner of Agriculture of the State of Florida in relation thereto and prescribing remedies, rights, duties and penalties with the respect to violations of this Act or any marketing order promulgated thereunder, and providing for assessments to be levied and collected by the Commissioner of Agriculture of the State of Florida to pay the expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders.

Was taken up.

Senator Parrish moved that the rules be waived and Committee Substitute for House Bill No. 340 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 340 was read the second time by title only.

The Committee on Citrus Fruits offered the following amendment to Committee Substitute for House Bill No. 340:

In Section 7 (a), sub-paragraph (4) (typewritten bill) strike out the last sentence thereof.

Senator Parrish moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Parrish moved that the rules be further waived and Committee Substitute for House Bill No. 340, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 340, as amended, was read the third time in full.

Pending roll call on Committee Substitute for House Bill No. 340, as amended, Senator Kelly (16th) moved that Senate Bill No. 313 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Pending roll call on Committee Substitute for House Bill No. 340, as amended, Senator Westbrook moved that the Senate do now adjourn.

Which was agreed to and the Senate took a recess at 12:59 o'clock, P. M., until 2:30 o'clock, P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock, P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President. Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—36.

A quorum present.

By permission the following Reports of Committees were received and filed:

REPORTS OF COMMITTEES

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bills, and recommends that the same do pass.

House Bill No. 201:

A bill to be entitled An Act granting a pension to Susie Sauls of Manatee County, Florida.

House Bill No. 497:

A bill to be entitled An Act for the relief of Mrs. Rhoda Ellis and making an appropriation to compensate her for the loss of her son, S. J. Ellis, who was killed by a shot fired from a machine gun by members of the Florida National Guard.

House Bill No. 299:

A bill to be entitled An Act to authorize the Comptroller of the State of Florida to refund to H. C. Lister of Gulf County, Florida, the sum of \$74.46 taxes erroneously paid on the West One-half (W $\frac{1}{2}$) of West One-half (W $\frac{1}{2}$) Section Fourteen (14), Township Six (6) South, Range Nine (9) West, for the years 1893-1910-1911-1912, and making appropriation therefor.

And House Bills Nos. 201, 497 and 299, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 160:

A bill to be entitled An Act relating to damage to property by automobiles, trucks and other motor vehicles, requiring the owner or operator thereof to give notice of said damage, together with his name and address and the name and address of the owner, and prescribing penalties for failure to do so.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 160, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 972:

A bill to be entitled An Act providing for the creation of a Firemen's Relief and Pension Fund by the City of Pensacola; creating a board of trustees in said municipality to administer the funds; designating the powers and duties of such board; providing for contributions to such fund by city; its employees and pensioners; prescribing who shall receive a pension or relief out of the pension fund; providing for the receipt, deposit, appropriation, investment and disposition of funds of said pension fund; providing that all persons heretofore retired now on the pension roll of the City of Pensacola shall continue to receive pensions in the same amount they are now receiving, payable from the source from which such pensions are now paid; authorizing the levy of taxes to supplement and augment the Firemen's Relief and Pension Fund.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

And Senate Bill No. 972, contained in the above report, was certified to the House of Representatives.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Your Joint Committee on Enrolled Bills, to whom was referred—

House Concurrent Resolution No. 11:

Requesting the State Road Department to name the new bridge just completed on State Road No. 39 where the same crosses Holmes Creek at or near Vernon in Washington County, the "Lonnie Weeks Memorial Bridge", in honor of this man who was chiefly responsible for the building and completion of this road and bridge.

House Bill No. 98:

A bill to be entitled An Act making a continuing appropriation to the agricultural college fund and transferring the interest received on said fund to the general revenue fund.

House Bill No. 306:

A bill to be entitled An Act to provide for the revision, compilation and consolidation and the printing and distribution of the General Statute of Florida of a permanent nature by the Attorney General of Florida; to provide for the annotation thereof; to direct the Attorney General to make research of legislative matters and to aid in drafting proposed legislation at the request of members of the legislature; to authorize the Attorney General to employ skilled assistants for the purpose of performing the duties imposed upon him by this Act; and to appropriate sufficient funds to pay the cost of preparing said revision, compilation and consolidation of the statutes; and the annotation thereof, and the cost of the performance of the other duties delegated to the Attorney General, and for the printing and binding of the preliminary edition and the permanent edition of said Statutes.

House Bill No. 820:

A bill to be entitled An Act making it unlawful to fish or cause to be fished, use or cause to be used, any drag nets, haul seines, gill nets, or other nets in the canal bordering the north side of State Road No. 27, as now designated by the State Road Department of the State of Florida, and commonly known as the Tamiami Trail, from the easterly corporation limits of the Town of Naples, Florida, to the westerly corporation limits of Coral Gables, Florida, and providing a penalty for violation of any of the provisions of this Act.

House Bill No. 901:

A bill to be entitled An Act to exempt the property of the St. Petersburg Yacht Club, a corporation not for profit, from taxation and to cancel all past due and omitted State, County or City taxes heretofore levied against the same.

House Bill No. 995:

A bill to be entitled An Act to require all motor boats, launches and other water craft propelled by gasoline or other internal combustion engines, operated on the waters of Kingsley Lake, in Clay County, Florida, to be equipped with mufflers, underwater exhausts or other suitable devices to deaden sound; to regulate the speed and use of motor boats on said waters, and fixing a penalty for the violation of same.

House Bill No. 1012:

A bill to be entitled An Act authorizing and empowering the Town Commission of the Town of Orange Park, Florida, from time to time by resolution, motion or ordinance, to compromise, waive, adjust and settle any and all delinquent town taxes including any and all interest, costs and penalties thereon, and prescribing the method of procedure; and approving, confirming and validating all compromises and adjustments of delinquent taxes heretofore effected, made and allowed by the Town Commission.

House Bill No. 1272:

A bill to be entitled An Act to repeal Chapter 17811, Laws of Florida, Acts of 1937, entitled: "An Act authorizing and empowering the Board of County Commissioners of any county having a population of not less than 14,554 and not more than 14,560, according to the State census of 1935, to amend the fiscal budget of said County for any year at any time by rebudgeting and reapportioning any fund set up therein, and to repeal all laws or parts of laws in conflict."

House Bill No. 1273:

A bill to be entitled An Act to repeal Chapter 17812, Laws of Florida, Acts of 1937, entitled: "An Act authorizing and empowering the Board of County Commissioners of all counties of the State of Florida, having a population of not less than 14,554 and not more than 14,560, according to the State census of 1935; to eliminate from the fiscal budget of said counties the fund known and designated as "Bond Construction Fund"; and to rebudget said fund and transfer and distribute same to the maintenance funds of the road districts of said counties entitled to participate therein; and authorizing and empowering said Board to amend the fiscal budget for any year at any time by rebudgeting and reapportioning any fund set up therein; and to repeal all laws or parts of laws in conflict herewith."

House Bill No. 1291:

A bill to be entitled An Act authorizing the City Commissioners of Lynn Haven, Florida, to adjust, compromise and settle all delinquent city taxes on real and personal property in the City of Lynn Haven, Florida.

House Bill No. 1316:

A bill to be entitled An Act to authorize Dade County to acquire, construct, own and operate causeways and viaducts over tidal waters in said county; and to establish and collect reasonable tolls for use of the same; and, subject to the approval of the voters, to issue bonds to pay for the same; and to levy taxes to pay the interest and principal of such bonds and maintain such causeways and viaducts; and to cooperate with agencies of the Government of the United States or with municipalities in the acquisition, control and operation of said causeways and viaducts, or with or without cooperation to acquire and operate such causeways and viaducts on a self-liquidating basis in any manner allowed by law.

House Bill No. 1325:

A bill to be entitled An Act to amend Chapter 10847 of the Laws of the State of Florida, approved May 9, 1925, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said city, and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances, and to ratify certain Acts and proceedings of the Commission and of the Officers of the City", as amended by subsequent legislation by the granting and conferring of additional power and authority to the City of Miami to provide for a new registration of all persons qualified to register under the law, to provide and prescribe the number of voting precincts, and to provide and prescribe the qualifications of registered voters, the time for registration, the method and procedure of registration, the establishing and keeping of the registration records, and to prescribe the procedure for the removal of any name of any person from such registration records by reason of becoming disqualified.

House Bill No. 1381:

A bill to be entitled An Act authorizing the Board of County Commissioners of Brevard County, Florida, to acquire, by purchase, gift or condemnation, a site, within the territorial limits of Brevard County, for the location of a naval air base including a site suitable for a base for naval airplane carriers and other sea ships of war; to negotiate with the United States Government for the purpose of securing the establishment of such air base for naval airplane carriers and other sea ships of war on said site and providing for the payment of all sums spent pursuant to this Act; providing and authorizing said commissioners to condemn or otherwise procure lands and other property needed and useful in the construction of said air base for naval airplane carriers and other sea ships of war; providing and authorizing the said Board of County Commissioners to convey all lands and other property acquired under the provisions of this Act by purchase, gift, condemnation or otherwise to the United States of America under the conditions and purposes provided in this Act and declaring that all money spent under the provisions of this Act to be for a Public Service and for the benefit of said County of Brevard; and repealing all conflicting laws.

House Bill No. 1386:

A bill to be entitled An Act to authorize the Board of County Commissioners of Escambia County, Florida, to contribute

to the equipment and training of bands organized under the supervision of Public Schools in said County.

House Bill No. 1404:

A bill to be entitled An Act to amend Section 1 of the Act creating the City of Pompano, Broward County, Florida, being Section 1, Chapter 13324 of the Laws of Florida, Acts of 1927; to define and establish the corporate limits of said city and to increase and enlarge the territory within the corporate limits of said city and providing for a referendum.

House Bill No. 1422:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Manatee County, Florida, to cooperate with the State Board of Education in acquiring land for Experiment Station Laboratory and Farm in Manatee County, Florida, the title to be vested in the State Board of Education, and to pay therefor out of funds belonging to said County or by an annual levy for such purpose, until fully paid, including interest, and permitting the issuance of interest-bearing time warrants for all or any part of said purchase price.

House Bill No. 1429:

A bill to be entitled An Act authorizing the City of Jacksonville to levy and collect, annually, in the manner provided by law, a special tax not exceeding two mills on all taxable property within said city, and to appropriate revenues therefrom for library purposes of the Jacksonville Free Public Library, and repealing Chapter 10702, Laws of Florida, 1925.

House Bill No. 1452:

A bill to be entitled An Act to validate, ratify and confirm all acts and proceedings of the Equalization Board and City Auditor and Clerk relating to tax assessment rolls, the publication of notices, and valuations of property on the tax rolls of the City of Winter Haven.

House Bill No. 1455:

A bill to be entitled An Act amending Section 1 of Chapter 14439 of the Laws of Florida, adopted by the Legislature in the year 1929, and which Chapter 14439 comprises the charter of the City of Vero Beach, Florida, by excepting from the property described in said Section 1 of said Chapter 14439 and from the territorial limits of the City of Vero Beach as therein set out, the following described property, to-wit: Beginning at the southeast corner of Section 1, Township 32 South, Range 39 East, run North to the South line of 18th Street, thence West along the South line of 18th Street to the East line of 8th avenue, thence South along the East line of 8th avenue to the South line of the aforesaid Section 1, thence East along the South line of Section 1 to the point of beginning.

House Bill No. 1158:

A bill to be entitled An Act to prohibit the sale of fresh water scale fish taken from the fresh waters of Calhoun County and providing a penalty for the violation thereof.

House Bill No. 1204:

A bill to be entitled An Act authorizing and empowering each Board of Public Instruction of the State of Florida situate in all Counties having a population of not less than 51,000 nor more than 55,000, according to the last State census, to use any surplus money in the interest and sinking fund account of any Special Tax School District within its County to purchase any note, bond or other obligation on which such Special Tax School District or it for and on behalf of such Special Tax School District may be liable as maker or endorser.

House Bill No. 1214:

A bill to be entitled An Act to repeal Chapter 16023, Laws of Florida, Acts of 1933, being an Act to make lawful the taking of fish with trammel-net of certain mesh, during a fixed season in Counties having a population of not less than 12,500 and not more than 13,000 according to the latest Federal census.

House Bill No. 1247:

A bill to be entitled An Act authorizing the city commission of the City of Coral Gables to provide by ordinance for the creation of a civil service system for city officers and employees; for the creation of a civil service board; to designate who shall be civil service employees of the city; and to prescribe rules and regulations to govern civil service officers and

employees; and providing for a referendum before said Act shall take effect and other matters relating thereto.

House Bill No. 1250:

A bill to be entitled An Act to authorize the city commission of the City of Coral Gables, Florida, to establish by ordinance a pension, annuity and retirement system for any or all groups of officers and employees in the service of said city; to provide for disability and death benefits; to provide for contribution to the costs thereof on an actuarial basis; providing for the manner in which officers and/or employees may come under the operation of said system; providing for re-payment to members leaving the service of the city; providing for the investment of funds created under said system; providing for the administration of said system and providing for the submission of said ordinance to referendum of qualified voters of said city; when said Act shall take effect and other matters relating thereto.

House Bill No. 1257:

A bill to be entitled An Act authorizing the creation of municipal tax adjustment board for the City of Brooksville, Hernando County Florida; prescribing its powers, duties and limitations; prescribing the length of time such board shall stay in existence; providing for a chairman and secretary and authorizing said board to adjust, settle and compromise taxes, special assessments and delinquent personal property tax for the year 1938 and previous years of such delinquent tax, upon certain conditions

House Bill No. 1262:

A bill to be entitled An Act to authorize and provide that when there are no funds available, or such funds are insufficient to meet the then present current governmental needs of Hardee County, the Board of County Commissioners of Hardee County shall be authorized and empowered to borrow money at a rate of interest not to exceed eight per cent per annum for the purpose of providing for the payment of such current governmental needs and authorizing said Board to provide for the payment thereof by resolution, out of funds anticipated by said Board to be available from the State Race Track Funds apportioned to said county within the fiscal year in which any such loan or loans shall be made and providing that no such loan shall, in any event, exceed eighty per cent of the amount of revenue estimated by said Board to be received within such fiscal year.

House Bill No. 1133:

A bill to be entitled An Act affecting the government of the City of Jacksonville; fixing the salaries of the City Recorder and the Municipal Judge, and providing for terms of payment thereof.

House Bill No. 1229:

A bill to be entitled An Act relating to the distribution of moneys derived from gasoline taxes placed to the credit of Broward County, Florida, and conferring certain powers, authorities, directions and duties upon the State Board of Administration and upon the Board of County Commissioners of said county with reference thereto.

House Bill No. 1218:

A bill to be entitled An Act providing for the distribution and expenditure of not more than one-half of all monies derived from gasoline taxes placed to the credit of St. Johns County, Florida, for road and bridge purposes, to be expended exclusively for road and bridge purposes in said county, and prescribing certain powers, authorities, directions and duties upon the State Board of Administration and upon the Board of County Commissioners of said county with reference thereto.

House Bill No. 1170:

A bill to be entitled An Act to enlarge, define and declare the corporate boundaries of the City of Sanford, Florida, and preserve the lien of said City of Sanford, Florida, upon real and personal property for unpaid taxes and special assessments heretofore levied and assessed by said City thereon, and declaring the jurisdiction and powers of said City over the territory within the boundaries thereof as so enlarged, redefined and declared.

House Bill No. 1095:

A bill to be entitled An Act to establish a game and fish refuge in certain portions of Lee County and to provide for enforcement and punishment for violation thereof; to establish

a refuge commission and prescribe the qualification of its members, the length of term of their office and their powers and duties.

House Bill No. 172:

A bill to be entitled An Act, to be cited as the "Rural Electric Cooperative Act," to provide for the organization, operation and management of cooperative, non-profit, membership corporations, referred to as "cooperative," for the purpose of engaging in rural electrification by supplying electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the articles of incorporation and by-laws thereof, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards and trustees, the meetings, terms, quorum, powers and other matters relating thereto, provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the articles of incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperatives; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain conditions, for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver or notice required by this Act and for trustees, officers or members serving as notaries public; prescribing for the qualifications of similar foreign corporations for the transaction of business in this State; prescribing certain filing fees; prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the uniform sale of securities Act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof.

House Bill No. 1286:

A bill to be entitled An Act declaring the establishment and maintenance in Duval County, Florida, of a Central Law Library for the use of County officials and the judges and officers of the several courts in said County to be a public need and for a general county purpose; and to provide for the establishment and maintenance of an adequate central law library in Duval County, Florida; and providing for the establishment and maintenance of the same out of the excess fees returned by the Clerk of the Circuit Court, Clerk of the Civil and Criminal Courts of Record, County Judge, Sheriff, Tax Collector and Tax Assessor of Duval County; and providing for the inclusion of sums for that purpose in the County budget, and the expenditure of the same by the County Commissioners; and to create a law library board, and to prescribe generally the authority and duties of such board.

House Bill No. 1362:

A bill to be entitled An Act requiring the Board of County Commissioners of Glades County, Florida, and the Board of Public Instruction of Glades County, Florida, to publish monthly statements of their proceedings including itemized statements of receipts and disbursements of all moneys received and distributed, in a newspaper published in Glades County, Florida, and providing for the cost of said publication and providing penalties for the violation hereof.

House Bill No. 1423:

A bill to be entitled An Act authorizing, empowering and permitting the Board of County Commissioners for the County of Manatee, State of Florida, to include in its annual budget appropriation for agricultural and livestock activity, a sum not to exceed \$600.00 per annum, payable from said Agricultural and Live Stock Fund, for the purpose of paying the salary and expenses of the County Inspector of Marks and Brands in said County.

House Bill No. 1424:

A bill to be entitled An Act authorizing and empowering

the Board of County Commissioners of Manatee County, State of Florida, to levy ad valorem millage taxes on the property of said County, subject to taxation levied on a millage basis, for certain purposes, to maximum limits herein enumerated, namely, for publicity, 2½ mills: for county welfare, 2 mills: for county hospital, 2 mills: for general revenue fund, 10 mills: for agricultural and live stock fund, 2½ mills: for public health fund, 2 mills.

House Bill No. 1363:

A bill to be entitled An Act of the Legislature of the State of Florida granting to the City of Key West, a municipal corporation of Florida, powers in addition to those contained in its charter: to regulate and restrict the height, number of stories, and size of buildings, and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the regulation and use of buildings, structures and land for trade, industry, residence or other purposes; and granting powers to carry into effect such regulations and restrictions; to set up and provide for Boards of Officers for the purpose of administering the zoning powers herein conferred; and granting the City of Key West power to punish violations of any ordinances pertaining to zoning passed under this Act; providing the time that this Act shall take effect and repealing all laws in conflict therewith.

House Bill No. 1328:

A bill to be entitled An Act providing for the creation of a Delinquent Tax Adjustment Board for Hernando County, Florida, prescribing the powers and duties of such board; providing for the creation of Delinquent Tax Adjustment Board of Appeals, and prescribing the powers and duties of such board; providing for the compromise sale and adjustment of State and County delinquent personal property tax for the year 1938 and previous years of such delinquent tax, upon certain conditions.

House Bill No. 537:

A bill to be entitled An Act providing for the construction of a new South wing to the State Capitol to include a Senate Chamber and Committee Rooms and Executive Offices for the Florida State Senate, and appropriating money for the payment therefor.

House Bill No. 1248:

A bill to be entitled An Act to authorize the City Commission of the City of Coral Gables, Florida, to provide by ordinance for life, health, accident or annuity insurance or all or any kinds of said insurance for its employees upon a group insurance plan to pay in whole or in part the premiums therefor, and relieving said city from the provisions of the Florida Workmen's Compensation Act to the extent that the insurance so provided affords the benefits provided by said Florida Workmen's Compensation Act; and providing for the submission of said ordinance to referendum of qualified voters of said city.

House Bill No. 1315:

A bill to be entitled An Act to authorize Dade County to purchase, maintain and operate fire fighting machinery, equipment and apparatus; to employ a fire chief and other personnel and employees, authorizing the levy of a special tax to pay for same and to pay expenses incurred in and incident to the prevention, control and extinguishment of fires in said County.

House Bill No. 1317:

A bill to be entitled An Act to amend Section 1 of Chapter 17525, Laws of Florida, entitled "An Act to authorize Dade County to acquire and hold land for park purposes, and authorizing the levy of a special tax to pay for same and to pay for lands to be used for rights of way for roads" by further authorizing the Board of County Commissioners of Dade County to issue bonds, subject to the approval of the voters, for the purpose of raising additional funds to pay for the acquisition and maintenance of parks, and to levy taxes to pay the principal and interest of such bonds and provide for the maintenance of such parks, and to cooperate with agencies of the government of the United States and other lawful agencies in the acquisition of such parks, and to accept funds from the government of the United States, or such other agencies, to be used in part payment for such parks.

House Bill No. 1334:

A bill to be entitled An Act to prohibit in Broward County,

Florida, the capture, injury or killing of alligators, the sale, transporting and transporting for sale of alligators, alligator skins, alligator teeth or alligator eggs, and providing the penalty for violation of such Act, and providing for the repeal of all laws in conflict herewith, and for the effective date of this Act.

House Bill No. 1339:

A bill to be entitled An Act making it unlawful to take, injure, kill or possess within Monroe County, Florida, deer of the species of Virginia Deer commonly known as "Key Deer," but permitting the taking and possession thereof for propagation or scientific purposes as now provided by law; also providing a penalty for violation thereof.

House Bill No. 1340:

A bill to be entitled An Act making it unlawful to take or attempt to take wild deer and wild turkeys in Gilchrist County, Florida; providing a penalty for the violation hereof, and repealing all laws in conflict herewith.

House Bill No. 1347:

A bill to be entitled An Act amending Section 2 of Chapter 18571, Laws of Florida, the same being an Act prohibiting the catching and taking of fish from any of the salt water rivers, creeks, springs, or holes within the limits of Hernando County, Florida, by means of any seine, gill net, stop net, or any kind of fish net or fish trap; defining salt water within the meaning of this Act in Mud River and Weekiwatchee River and fixing a penalty for the violation thereof.

House Bill No. 970:

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District in Broward County, Florida, authorizing the Board of Supervisors of said district to cancel taxes and/or tax liens due said district for the year 1934 and any years prior thereto upon payment of all taxes due the district for the year 1935 and subsequent years; further providing that nothing in this Act shall prohibit receiving of bonds of the district in payment of taxes.

House Bill No. 1169:

A bill to be entitled An Act to prohibit in Charlotte County, Florida, the capture, injury or killing of alligators, the sale, knowingly transporting and knowingly transporting for sale of alligators, alligator skins, alligator teeth or alligator eggs, and providing the penalty for violation of such Act.

House Bill No. 1494:

A bill to be entitled An Act to protect fish in the rivers, creeks, canals and inside fresh waters of Indian River County, Florida; to prohibit the taking of fish from any such waters by any other means than hook and line; to prohibit the taking of bait or minnows from any such waters by any means other than as provided in this Act; to prohibit the placing in any such waters of any deleterious substance as described in said Act and whereby the fish in any such waters may be injured; providing for the destruction of any nets, devices or appliances used in violation of the provisions of this Act; and providing penalties for the violation of this Act; and expressly repealing Chapter 10686 of the Laws of Florida adopted in 1925.

House Bill No. 1505:

A bill to be entitled An Act amending Chapter 10177, Laws of Florida, Acts of 1925, the same being 'An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300.00) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan', and making the provisions of this Act applicable to Saint Lucie County, Florida, and repealing all laws in conflict herewith.

House Bill No. 1507:

A bill to be entitled An Act providing for the apportionment of race track taxes allotted to Glades County, Florida, being one-fourth to the Board of Public Instruction and three-fourths to the Board of County Commissioners of said County, and prescribing the manner in which said funds shall be used.

House Bill No. 1355:

A bill to be entitled An Act to create and establish a Special

Taxing District in Lee County, to be known as Sanibel-Captiva Special Road and Bridge District of Lee County, Florida, to validate and legalize the Acts and proceedings of the Board of County Commissioners of said County and an election held in said District to create a Special Road and Bridge District in said County, embracing the same territory, to validate and legalize bonds to be issued by said Board of County Commissioners for and on behalf of said Special Road and Bridge District and to validate and legalize the levy and assessment of taxes in said District, and to authorize the continued levy and assessment of taxes for the purpose of paying the principal and interest on such bonds, and to further define the powers and duties of the Board of County Commissioners with respect to said District, and in the construction of road and bridges in said District, and authorizing and empowering said Board of County Commissioners to use and expend the moneys derived from the sale and issue of such bonds for the purpose of meeting the requirements of the United States government with reference to obtaining grants of federal money in connection with the construction of roads and bridges in said Special Road and Bridge District.

House Bill No. 1215:

A bill to be entitled An Act to repeal Chapter 16474, Laws of Florida, Acts of 1933, declaring it legal for a bona fide resident of a certain area to gig a fish in the fresh waters thereof.

House Bill No. 1323:

A bill to be entitled An Act to amend Section 72 of Chapter 10847, Laws of Florida, approved May 9, 1925, and entitled, "An Act to amend and re-enact the charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances, and to ratify certain acts and proceedings of the Commission and of the officers of the City", relating to and establishing a City Planning Board; providing for the members, their rights, power and authority; providing for a secretary and his removal; and providing for the procedure by the said Board and matters pertaining to City planning.

House Bill No. 1382:

A bill to be entitled An Act authorizing the creation by the Town Commission of the Town of Melbourne Beach, Florida, of a tax adjustment board, prescribing its powers, duties and limitations; providing for a chairman and secretary and authorizing said Board to adjust, compromise and settle taxes and assessments.

House Bill No. 1457:

A bill to be entitled An Act to ratify, validate, legalize, cure, approve and confirm; the assessment and levy of all taxes for each of the years 1931 to 1938 inclusive made by the Town of Havana, Florida, the assessment roll for said Town for said years, the Acts and proceeding of the town council and all other officials or employees of said Town in connection with or relating to the assessment and levy of taxes for said years, and all errors, defects, informalities or omissions in the tax rolls and in the assessment and levy of said taxes for said years. To declare the validity and sufficiency of the tax assessment, levy and collection, of and for said Town of each of said years, and to provide for the collection, of and for said Town for each of said years, and to provide for the collection of unpaid taxes for each of said years.

House Bill No. 1458:

A bill to be entitled An Act authorizing the governing body of the Town of Jupiter, Palm Beach County, Florida, to sell all tax certificates for the years prior to 1937 and held by the town: providing terms of sale: authorizing said governing body to adopt all necessary ordinances to perfect sale and pass title to said certificates; providing for a referendum.

Beg leave to report that the same have this day been presented to the Governor for his approval.

UNFINISHED BUSINESS

Committee Substitute for House Bill No. 340:

A bill to be entitled An Act relating to the marketing, processing, handling, and distributing of citrus fruit grown in the State of Florida, and providing for the regulation of handlers, processors, distributors, producers and others, and establishing standards in relation to such regulation; providing for hearings on and the issuance, administration and enforce-

ment of marketing agreements and marketing orders in connection with the regulation aforesaid; prescribing the powers, duties and jurisdiction of the Commissioner of Agriculture of the State of Florida in relation thereto and prescribing remedies, rights, duties and penalties with the respect to violations of this Act or any marketing order promulgated thereunder, and providing for assessments to be levied and collected by the Commissioner of Agriculture of the State of Florida to pay the expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders.

Which was pending roll call at the hour of recess, was taken up.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, as amended, Senator Holland moved that the privileges of the floor be extended to Pat Hyman of Polk County, Wade Hampton and Selden Waldo of Alachua County, Jack Pinkerton of Lake County and Tiffany Turnbull of Jefferson County, all senior law students at the University of Florida, who will receive their diplomas next week.

Which was agreed to and it was so ordered.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, as amended, Senator Mapoles moved that the rules be waived and the Senate do now revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 24, 1939.

*Hon. J. Turner Butler,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Morrow of Palm Beach—

House Bill No. 1761:

A bill to be entitled An Act legalizing the sale of tax certificates under Chapter 18296, Laws of Florida, Acts of 1937, when such sales are advertised in weekly newspapers dated May 26, June 2, and June 9, 1939.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1761, contained in the above message, was read the first time by title only.

Senator Mapoles moved that the rules be waived and House Bill No. 1761 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1761 was read the second time by title only.

Senator Mapoles moved that the rules be further waived and House Bill No. 1761 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1761 was read the third time in full.

Upon the passage of House Bill No. 1761 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Savage, Walker, Westbrook, Whitaker—31.

Nays—Senators Horne, Wilson—2

So House Bill No. 1761 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, as amended, Senator Black moved that when the Senate adjourn at this session, it adjourn to reconvene at 11:00 o'clock, A. M., Thursday, May 25, 1939.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Black, the roll was called and the vote was:

Yeas—Mr. President; Senators Beall, Black, Dye, Gideons, Horne, Whitaker, Wilson—8.

Nays—Senators Adams, Beacham, Clarke, Coulter, Dugger, Gillis, Graham, Hinely, Hodges, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook—26.

Which was not agreed to so the motion failed of adoption.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, as amended, by unanimous consent Senator Kelly (16th) withdrew Senate Bill No. 454.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, by unanimous consent Senator Hodges withdrew Senate Bill No. 104.

Pending roll call on the passage of Committee Substitute for House Bill No. 340, as amended, Senator Kelly (11th) moved that the Senate do now adjourn.

Which was agreed to and the Senate took a recess at 4:57 o'clock, P. M., until 8:00 o'clock, P. M., this day.

NIGHT SESSION

The Senate reconvened at 8:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Walker, Westbrook, Whitaker, Wilson—33.

A quorum present.

Pursuant to the motion made by Senator Kanner on May 24, 1939, the Senate took up the consideration of the following pet bills:

Senate Bill No. 118:

A bill to be entitled An Act requiring all persons having on hand prior to the commencement of the applicable closed season any fish, crabs, shrimp, crayfish or other shell fish to make and file a sworn statement of the quantity and places of storage of such frozen stock with the State Board of Conservation, and regulating the commercial handling and sale of such frozen stock during their applicable respective closed seasons and providing a punishment for failure to comply with said regulations.

Was taken up.

Senator McKenzie moved that the rules be waived and Senate Bill No. 118 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 118 was read the second time by title only.

Senator McKenzie offered the following amendment to Senate Bill No. 118:

Between title and Section 1 insert the following: "Be it enacted by the Legislature of the State of Florida."

Senator McKenzie moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 118, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 118, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 118, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Clarke, Dugger, Dye, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parrish, Price, Walker, Westbrook, Whitaker, Wilson—21.

Nays—None.

So Senate Bill No. 118 passed, as amended, and was referred to the Committee on Engrossed Bills.

House Bill No. 55:

A bill to be entitled An Act to amend Section 186 of the Probate Act, Chapter 16,103, Laws of Florida, Acts of 1933, by

providing also for limitation against estates of non-resident decedents upon terms and conditions.

Was taken up.

Senator Price moved that the rules be waived and House Bill No. 55 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 55 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 55 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 55 was read the third time in full.

Upon the passage of House Bill No. 55 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dugger, Dye, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Parrish, Price, Westbrook, Whitaker, Wilson—22.

Nays—None.

So House Bill No. 55 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 954:

A bill to be entitled An Act to fix the annual salary of the State Motor Vehicle Commissioner and to repeal all laws and parts of laws in conflict therewith.

Was taken up.

Senator Dugger moved that the rules be waived and Senate Bill No. 954 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 954 was read the second time by title only.

Senator Dugger moved that the rules be further waived and Senate Bill No. 954 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 954 was read the third time in full.

Upon the passage of Senate Bill No. 954 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dugger, Dye, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Parrish, Price, Westbrook, Whitaker, Wilson—23.

Nays—None.

So Senate Bill No. 954 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 23:

A bill to be entitled An Act to fix the annual salaries of the official Court Reporters of the State of Florida.

Was taken up.

Senator Adams moved that the rules be waived and House Bill No. 23 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 23 was read the second time by title only.

Senator Hodges offered the following amendment to House Bill No. 23:

In Section 1, at the end of Section 1, add the following: Provided, however, that in all Circuits composed of six counties and having two or more Circuit Judges, and only one official Court Reporter, and in which Circuit there is no Criminal Court of Record in any county, the annual salary of such official Court Reporter shall be the sum of Eighteen hundred dollars, payable in monthly installments, upon requisition on the Comptroller.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Adams moved that the rules be further waived and House Bill No. 23, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 23, as amended, was read the third time in full.

Upon the passage of House Bill No. 23, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dugger, Dye, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Price, Rose, Westbrook, Whitaker, Wilson—23.

Nays—None.

So House Bill No. 23 passed, as amended, and was ordered certified to the House of Representatives.

Senate Bill No. 646:

A bill to be entitled An Act to amend Section 5086 of the Revised General Statutes of Florida, 1920, the same being Section 7188 of the Compiled General Laws of Florida, 1927, and all amendatory Acts thereto, i. e. Chapter 14831, Acts of 1931, Section 1, and Chapter 17179, Section 1, Acts of 1935; relating to and defining the meaning of pugilistic exhibitions.

Was taken up.

Senator Kendrick moved that the rules be waived and Senate Bill No. 646 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 646 was read the second time by title only.

Senator Kendrick moved that the rules be further waived and Senate Bill No. 646 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 646 was read the third time in full.

Upon the passage of Senate Bill No. 646 the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Beacham, Beall, Clarke, Dugger, Dye, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Price, Rose, Walker, Westbrook, Whitaker, Wilson—25.

Nays—None.

So Senate Bill No. 646 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 1015:

A bill to be entitled An Act granting a Confederate pension to J. Hance Osteen, of Gilchrist County, Florida.

Was taken up.

Senator Black moved that the rules be waived and House Bill No. 1015 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1015 was read the second time by title only.

Senator Black moved that the rules be further waived and House Bill No. 1015 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1015 was read the third time in full.

Upon the passage of House Bill No. 1015 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Coulter, Dugger, Dye, Graham, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Walker, Westbrook, Whitaker, Wilson—28.

Nays—None.

So House Bill No. 1015 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 902:

A bill to be entitled An Act relating to the interest and sinking funds of bonds authorized to be issued under Chapter 15772, Laws of Florida, Acts of 1931, known as the General Refunding Act of 1931; granting additional and supplementary authority and power to units authorizing the issuance of bonds thereunder concerning the levying of taxes and the appropriation, reappropriation or earmarking of moneys or revenues in connection with said interest and sinking funds; providing the mode of exercise of such authority and power and the effect of such exercise; imposing duties upon all persons and officials handling such moneys or revenues; limiting the use of such moneys or revenues and making the same immune from certain suits, levies, writs or other process; and

validating and confirming certain levies, appropriations, re-appropriations or earmarkings heretofore made.

Was taken up.

Senator Kanner moved that the rules be waived and House Bill No. 902 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 902 was read the second time by title only.

The Committee on Finance and Taxation offered the following amendment to House Bill No. 902:

At the end of Section 6, add the following:

"Provided, however, that this Act shall not apply to any suit or action pending in any Court when this Act was introduced in the Legislature, to-wit, May 2nd, 1939, nor shall it affect or prejudice the rights of any litigant in any such pending action."

Senator Kanner moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kanner moved that the rules be waived and House Bill No. 902, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 902, as amended, was read the third time in full.

Upon the passage of House Bill No. 902, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dugger, Dye, Gillis, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Price, Rose, Westbrook, Whitaker, Wilson—27.

Nays—None.

So House Bill No. 902 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 830:

A bill to be entitled An Act to make an appropriation for the establishment by the Board of Control of the State of Florida of a branch experimental station in Hardee County, Florida, under the provisions of Chapter 18,562, Laws of Florida, Acts of 1937.

Was taken up.

Senator Murphy moved that the rules be waived and House Bill No. 830 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 830 was read the second time by title only.

Senator Murphy moved that the rules be further waived and House Bill No. 830 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 830 was read the third time in full.

Upon the passage of House Bill No. 830 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Dugger, Dye, Gillis, Graham, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Westbrook, Whitaker, Wilson—27.

Nays—None.

So House Bill No. 830 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Murphy withdrew Senate Bill No. 566.

Senate Bill No. 17:

A bill to be entitled An Act to regulate the employment of minors; to provide for minimum ages for certain employments; describing street trades; requiring employers where minors are employed to post and keep posted certain extracts of this act and to keep certain records; providing for the determination of hazardous occupations and for the issuance of employment certificates and the administration of the provisions of this act by the Florida Industrial Commission and for the issuance of rules and regulations in connection therewith; providing penalties for violation of this act; and ap-

propriating the sum of four thousand dollars (\$4,000.00) annually.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 17 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 17 was read the second time by title only.

Senator Beall offered the following amendment to Senate Bill No. 17:

Strike out everything after the Enacting Clause and insert in lieu thereof the following:

SECTION 1. HOURS OF WORK.

No minor under 18 years of age shall be employed, permitted, or suffered to work in, about or in connection with any gainful occupation for more than 6 consecutive days in any one week or more than 40 hours in any one (1) week or more than 8 hours in any 1 day nor shall any minor under 16 years of age be so employed, permitted or suffered to work before 7 A. M. or after 8 P. M., nor shall any minor between 16 and 18 years of age be so employed, permitted or suffered to work before 6 A. M. or after 10 P. M., except minors between 16 and 18 engaged in concerts or theatricals, and such minors shall be permitted to appear in such performances until 11 P. M. Provided, however, this Act shall not apply to minors engaged in the wrapping, distribution or sale of newspapers, periodicals or magazines, or to minors engaged in farm labor, horticultural or agricultural labor, and processing of farm products or domestic service, or dairy industry and naval stores industry and fishing industry.

SECTION 2. LUNCH PERIOD.

That no minor under 18 shall be employed, permitted, or suffered to work for more than 5 hours continuously without an interval of at least 30 minutes for a lunch period and for the purposes of this Act no period of less than 30 minutes shall be deemed to interrupt a continuous period of work.

SECTION 3. POSTING.

That every employer shall post and keep conspicuously posted in or about the premises wherein any minor under 18 years of age is employed, permitted, or suffered to work a printed abstract of this Act and a list of occupations prohibited to minors under 18 years of age, to be furnished by the Industrial Commission, and a schedule of hours showing the maximum number of hours each minor under 18 years of age shall be required or permitted to work during each day of the week, total hours per week, the time of commencement and stopping work each day and the time for beginning and ending the daily lunch period. If more than one schedule of hours is in operation at a particular place of employment, the posted schedule shall contain the names of minors under 18 years of age working on each shift and shall clearly indicate the hours required of each minor under 18 years of age or group of such minors. Said schedule shall not be changed after the beginning of work on the first day of the week without authority of the Industrial Commission. The employment of a minor under 18 years of age for a longer time in any day or at any other time than as stated in said schedule shall be deemed a violation of this Act. The schedule shall be on a form approved and furnished by the Industrial Commission and shall remain the property of that Commission. The presence of any minor under 18 years of age in the place of employment at other hours than stated in the schedule applying to him shall constitute prima facie evidence of violation of this Act.

SECTION 4. TIME RECORDS.

That every employer shall keep a time record in a form approved by the Industrial Commission which shall state the name and address of each minor employed, the number of hours worked by said minor on each day of the week, the hours of beginning and ending such work, the hours of beginning and ending meal periods, and the amount of wages paid. This record shall be kept on file for at least 1 year after the entry of the record and shall be open to the inspection of the Industrial Commission.

SECTION 5. HAZARDOUS OCCUPATIONS.

That no minor under 16 years of age shall be employed permitted or suffered to work on or in connection with power-driven machinery. No boy under 16 years of age and no girl under 18 years of age shall be employed, permitted or suffered to work as a messenger in the distribution or delivery

of goods or messages for any person, firm or corporation engaged in the business of transmitting or delivering goods or messages.

No minor under 18 years of age shall be employed, permitted or suffered to work at sewing belts, or to assist in sewing belts, in any capacity whatever, or in adjusting any belt to any machinery; or to oil or assist in oiling, wiping or cleaning machinery; or to operate or assist in operating circular or band saws, wood shapers, wood joiners, planers, sandpaper or wood-polishing machinery or any power-driven wood-working machinery, grinding, abrasive, polishing or buffing machines, stamping machines in washer and nut factories, corrugated rolls, such as are used in roofing factories, dough brakes, mixing machines in bakeries, or cracker machinery of any description, wire or iron straightening machinery, rolling mill machinery of any description, wire or iron straightening machinery, punches or shears, washing or grinding or mixing mills, calendar rolls in rubber manufacturing, or power-driven laundry machinery; or in operating any steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alley; or in work in or in connection with quarries; construction work of any kind; ship building; stone cutting or polishing; lumbering or logging operations, saw or planing mills, pulp or paper mills; or in operating or assisting to operate any passenger or freight elevator; or in preparing any composition in which dangerous or poisonous acids are used, or in any capacity in the manufacture of paints, colors or white lead, or in any capacity whatever in the manufacture of goods for immoral purposes, nor shall girls under 18 years of age be employed in any capacity where employment compels them to remain standing constantly. No minor under 18 years of age shall be employed, permitted or suffered to work in any employment or at any occupation or trade hazardous or injurious to the life, health, safety or welfare of such minor.

It shall be the duty of the Industrial Commission and the said commission shall have power, jurisdiction and authority after hearings duly held to issue orders, which shall have the force and effect of law, prohibiting the employment of such minors in any place of employment or in any occupation hazardous or injurious to the life, health, safety or welfare of such minors.

No person under 21 years of age shall be employed, permitted or suffered to work in, about or in connection with any pool room, billiard room, brewery, saloon, bar-room, night club, road-house or jook where intoxicating liquors, wines or beverages are manufactured or sold.

SECTION 6. EMPLOYMENT CERTIFICATES.

That no minor under 18 years of age shall be employed, permitted, or suffered to work in any gainful occupation unless the person employing such minor shall procure and keep on file an employment certificate issued as hereinafter prescribed. Certificates shall be issued in such form and under such conditions as may be prescribed jointly by the State Board of Education and the Industrial Commission. Regular certificates shall be issued for employment during school hours and vacation certificates for employment during school vacation and outside school hours during the school term. No vacation or special employment certificate shall be issued for a child to work outside school hours during the school term unless the issuing officer is satisfied that he is physically and mentally able to engage in such employment in addition to school work and unless the school record submitted for such child shows that he is a regular attendant at school. Certificates shall be issued only by the County Superintendent of Public Instruction, or by a person authorized by him in writing, or where there is no Superintendent of Public Instruction by a persons authorized by the school board.

SECTION 7. REQUIREMENTS FOR CERTIFICATES.

That the person authorized to issue employment certificates shall issue such certificates only upon the application in person of the minor desiring employment and after having approved and filed the following papers:

(1) A promise of employment signed by the prospective employer or by some person duly authorized by him, setting forth the specific nature of the occupation in which he intends to employ such minor, and the number of hours per day and days per week which said minor shall be employed.

(2) Evidence of age showing that minor is of the age required by this Act, which evidence shall consist of one of

the following proofs of age and shall be required in the order herein designated, as follows:

(a) A duly attested transcript of the birth certificate filed according to law with a register of vital statistics or other officer charged with the duty of recording births, and a copy of which shall be provided without cost upon request of the County Superintendent.

(b) A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date and place of birth, or

(c) Other documentary record of age (other than a school record or an affidavit of age) such as a Bible record, passport or transcript thereof, duly certified, or life insurance policy, which shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age, or

(d) In the case none of the aforesaid proofs of age shall be obtainable, and only in such case, the issuing officer may accept the signed statement of the physician authorized to make the physical examinations required by this section, stating that, after examinations, it is his opinion that the minor has attained the age required by law for the occupation in which he expects to engage. Such statement shall be accompanied by an affidavit, signed by the minor's parent or guardian, certifying to the name, date and place of birth of the minor and that the proofs of age specified in the preceding subdivisions of this section cannot be produced.

(3) A statement of physical fitness, signed by a public health or public school physician, or where there is none, by a physician authorized by the County Board of Public Instruction for this purpose, setting forth that such minor has been thoroughly examined by such physician and that he is either physically fit to be employed in any legal occupation, or that he is physically fit to be employed under certain limitations, specified in this statement. If the statement of physical fitness is limited, the employment certificate issued thereon shall state clearly the limitations upon its use, and shall be valid only when used under the limitations so stated. The minor shall not be charged a fee for such examination or statement of physical fitness. The method of making such examinations shall be prescribed jointly by the Industrial Commission and the State Board of Health.

SECTION 8. DUTIES OF EMPLOYERS

Every employer receiving an employment certificate for a minor shall upon the commencement of employment of such minor so notify the issuing officer in writing and immediately upon termination of employment shall return said certificate to the issuing officer. A new certificate shall not be issued for any minor except upon presentation of a new promise of employment and a new certificate of physical fitness. It shall be valid only for the employer for whom issued and for the occupation designated in the promise of employment. Such employer shall, during the period of the child's employment keep such certificate on file at the place of employment and accessible to any certificate issuing officer or attendance assistant, or to any inspector or other person authorized to enforce this Act. The presence of any minor under 18 years of age in any place of employment shall be prima facie evidence of the employment of such minor.

SECTION 9. AGE CERTIFICATES

That upon request it shall be the duty of the official authorized to issue employment certificates to issue to any person between the ages of 18 and 21 years desiring to enter employment a certificate of age upon presentation of the same proof of age as is required for the issuance of employment certificates.

SECTION 10. CONCLUSIVE EVIDENCE OF AGE.

That any employment certificate or age certificate duly issued in accordance with this Act shall be conclusive evidence of the age of the minor for whom issued in any proceeding involving the employment of the minor under this law or under the Workmen's Compensation Law or any other labor law of the State as to any act occurring subsequent to its issuance.

SECTION 11. STATE SUPERVISION

That the Industrial Commission shall prescribe rules and regulations for the issuance of employment and age certificates and shall prescribe the forms to be used in connection with the issuance of these certificates. One copy

of each employment or age certificate shall be given to the person applying, one to the employer, one to be filed with the Industrial Commission within one week after issuance, and one to be retained by issuing officer. The Industrial Commission may revoke any certificate if in its judgment it was improperly issued or if the minor is illegally employed. If the certificate is revoked, the issuing officer and the employer shall be notified of such action in writing and such minor shall not thereafter be employed or permitted to work until a new certificate has been obtained.

SECTION 12. ENFORCEMENT

That it shall be the duty of the Industrial Commission and its inspectors and agents to enforce the provisions of this Act, to make complaints against various persons violating its provisions and to prosecute violations of the same. The said Commission and its inspectors and agents shall have authority to enter and inspect at any time any place or establishment covered by this Act and to have access to employment certificates kept on file by the employer and such other records as may aid in the enforcement of this Act. Attendance Assistants employed by County School Boards are likewise empowered to visit and inspect places where minors may be employed.

Any person authorized to enforce this Act may require an employer of a minor for whom any employment certificate is not on file to either furnish him within ten days the evidence required for an employment certificate showing that the minor is at least eighteen years of age, or to cease to employ or permit or suffer such minor to work. Proof of the making of such demand and of failure to deliver such proof of age shall be prima facie evidence, in any prosecution brought for violation of this Act, that such minor is under 18 years of age and is unlawfully employed.

SECTION 13. PENALTIES.

That whoever employs, permits or suffers any minor to be employed or to work in violation of this Act, or of any order or ruling issued under the provisions of this Act, or obstructs the Industrial Commission, its officers or agents, or any person authorized to inspect places of employment under this Act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of this Act, shall be fined not less than Five (\$5.00) Dollars nor more than Fifty (\$50.00) Dollars. Each day during which any violation of this Act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of this Act shall with respect to each minor so employed, constitute a separate and distinct offense. The penalties specified in this Act may be recovered by the State in an action for debt brought before any Court of competent jurisdiction, or through criminal proceedings, as may be deemed proper. Any employer retaining employment certificates in violation of this Act shall be fined Ten (\$10.00) Dollars. Every person authorized to sign the certificate prescribed in this Act who knowingly certifies any materially false statement therein shall be fined not more than Fifty (\$50.00) Dollars nor less than Ten (\$10.00) Dollars.

SECTION 14. APPROPRIATION.

The sum of Four Thousand (\$4,000.00) Dollars is hereby appropriated from the general funds in the custody of the State Treasurer on July 1, 1939, and the same amount annually thereafter, to be expended as provided by law.

SECTION 15. CONSTITUTIONALITY OF ACT

That if any part of this Act is decided to be unconstitutional and void, such decision shall not affect the validity of the remaining parts of this Act unless the part held void is indispensable to the operation of the remaining parts.

SECTION 16. REPEAL

That all laws inconsistent with the provisions of this Act are hereby repealed.

SECTION 17.

This Act will take effect on July 1, 1939.

Senator Whitaker offered the following amendment to the amendment offered by Senator Beall to Senate Bill No. 17:

Strike out all of Section 14 and re-number the subsequent sections to conform.

Senator Whitaker moved the adoption of the amendment to the amendment offered by Senator Beall to Senate Bill No. 17.

Which was agreed to and the amendment offered by Senator Whitaker to the amendment offered by Senator Beall to Senate Bill No. 17 was adopted.

Senator Hodges offered the following amendment to the amendment offered by Senator Beall to Senate Bill No. 17:

In Section 13, at the end of the section insert the following paragraph: The provisions of this Act shall not apply to minors employed by telegraph companies where such companies are regulated by and under the supervision of the Federal Communications Commission and the Federal Wage-Hour Administration.

Senator Hodges moved the adoption of the amendment to the amendment offered by Senator Beall to Senate Bill No. 17.

Which was agreed to and the amendment offered by Senator Hodges to the amendment offered by Senator Beall to Senate Bill No. 17 was adopted.

Senator Beall moved the adoption of the amendment, as amended, to Senate Bill No. 17.

Which was agreed to and the amendment, as amended, to Senate Bill No. 17, was adopted.

Senator Beall offered the following amendment to Senate Bill No. 17:

Line 2 of the Title strike out the words "Describing Street Trades."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 17, as amended be read the third time in full and put upon its final passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 17, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 17, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Holland, Horne, Johns, Kelly (11th), Kelly (16th), Kendrick, Rose, Whitaker—12.

Nays—Senators Clarke, Dugger, Gillis, Graham, Hodges, Kanner, Lewis, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Walker, Westbrook, Wilson—16.

So Senate Bill No. 17, as amended, failed to pass.

The following pair on the roll call to Senate Bill No. 17, as amended, was announced:

I am paired with Senator Coulter on Senate Bill No. 17. If he were present he would vote "No." I vote "Yes."

DEWEY A. DYE.

Senator Kanner moved that the hour of adjournment be extended one (1) hour.

Which was agreed to and it was so ordered.

Senate Bill No. 83:

A bill to be entitled An Act to amend Sections 4, 17, 18, 22 and 23 of Chapter 16800, Laws of Florida, Acts of 1935, the same being An Act entitled "An Act defining the practice of beauty culture and requiring a license or certificate of registration as a condition precedent to any person practicing beauty culture as hair dresser, cosmetologist, manicurist and pedicurist or acting as a junior operator beautician and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice beauty culture or act as a junior operator beautician or as a hairdresser or cosmetologist or manicurist and pedicurist in the State of Florida; creating the State Board of Beauty Culture Examiners and defining and declaring its powers and duties; regulating the practice of beauty culture or acting as a junior operator beautician, by those licensed hereunder; regulating the operation of beauty schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice beauty culture, act as a junior operator beautician or teach in beauty culture schools in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder."

Was taken up.

Senator Beacham moved that the rules be waived and Senate Bill No. 83 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 83:

A bill to be entitled An Act to amend Sections 5, 12, 15, 17, 18 and 22 of Chapter 16800, Laws of Florida, Acts of 1935, the same being An Act entitled "An Act defining the practice of beauty culture and requiring a license or certificate of registration as a condition precedent to any person practicing beauty culture or acting as a junior operator beautician and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice beauty culture or act as a junior operator beautician in the State of Florida; creating the State Board of Beauty Culture Examiners and defining and declaring its powers and duties; regulating the practice of beauty culture or acting as a junior operator beautician, by those licensed hereunder; regulating the operation of beauty schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice beauty culture, act as a junior operator beautician or teach in beauty culture schools in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder."

Was taken up and read the first time by title only.

Senator Beacham moved that the rules be waived and the

Committee Substitute for Senate Bill No. 83 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 83 was read the second time by title only.

Senator Beacham moved the adoption of the Committee Substitute for Senate Bill No. 83.

Which was agreed to and the Committee Substitute for Senate Bill No. 83 was adopted.

Senator Beacham moved that the rules be further waived and Committee Substitute for Senate Bill No. 83 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 83 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 83 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Dugger, Dye, Graham, Hodges, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Whitaker, Wilson—23.

Nays—Senator Gillis—1.

So Committee Substitute for Senate Bill No. 83 passed, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 11:00 o'clock, P. M., until 11:00 o'clock, A. M., Thursday, May 25, 1939.